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09/785,643	02/16/2001	Jonathan David Goodwin	40627/FLC/S850	3578

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EXAMINER

GREENE, DANIEL L

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 06/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/785,643	GOODWIN, JONATHAN DAVID	
	Examiner	Art Unit	
	Daniel L. Greene	3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>various</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see REMARKS/ARGUMENTS, filed 4/25/2005, with respect to Claims 1-46 have been fully considered and are persuasive. The rejection of Claims 1-46 has been withdrawn.

The Applicant submits that the Examiner has not established that Rosen teaches "determining a validity status for the value bearing indicium using the validation information database" or "transmitting the validity status to a scanning machine." The Examiner cited Rosen, Col. 25, lines 15-67, as teaching these elements of the claims. The Applicant further states that he has reviewed the cited section and was unable to discern any part that teaches these elements of claims 1, 19, and 39. A reference is to be considered not only for what it expressly states, but also for what it would reasonably have suggested to one of ordinary skill in the art. *In re DeLisle*, 160 USPQ 806 (CCPA 1969). Rosen teaches retrieving the selected ticket and checks if it is active. Col. 25, lines 32-33. Rosen further teaches, if the ticket is not active, then a message is sent that the ticket is inactive and the transaction is aborted. Col. 25, lines 38-39. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to "determining a validity status for the value bearing indicium using the validation information database" and "transmitting the validity status to a scanning machine." since it is known in the art that as taught by Rosen to check if an item is active, a database is required to store and make available for inquiry the status of an item and , the sending of a message is known in the art to be the same as transmitting.

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Also, Berson discloses the use of data processing systems that it would have been obvious to one having ordinary skill in the art at the time of the invention was made to have validation information data bases and the ability to transmit the validation information to financial and other third party systems as shown in Fig. 1 **12-1, 18**.

The Applicant further argues that there would be no motivation to combine because Rosen is already capable of authenticating the validity of the ticket after being read by the scanner without the use of a database. pg. 18, 2nd paragraph, lines 7-9. The Examiner disagrees in that Rosen does in fact show the use of databases in the system describe in Fig. 1, i.e. DATA PROCESSING SYSTEM **12-1-12-N**.

One cannot show non-obviousness by attacking the references individually where the rejection is based on a combination of references. *In re Young*, 159 USPQ 725 (CCPA 1968.). The combination of Berson and Rosen is in fact proper because they are in the same fields of invention, i.e. issuing and validating tickets, and Rosen provides details not specifically taught by Berson but inferred.

In regards to claims 2-12, 20-32 and 40-42 as stated by the Applicant depend from independent claims 1, 19 and 39 and incorporate the limitations thereof. Thus, at least for the reasons mentioned above in regards to independent claims 1, 19 and 39 these claims are obvious over Berson in view of Rosen.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1-12, 19-29, and 39-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berson U.S. Patent 5,598,477 [Berson], and further in view of Rosen U.S. Patent 5,621,797 [Rosen].**

As per claims 1 , 19 and 39:

The recitation that “ A method of providing a value bearing indicium to an end-user via a computer network...”, “ A data processing system adapted to process a value bearing indicium via a computer network...”, and “ A computer-readable storage medium embodying computer program instructions for execution by a computer...” has not been given patentable weight because it has been held that a preamble is denied the effect of a limitation where the claim is drawn to a method, a system, an apparatus, etc. and the portion of the claim following the preamble is a self-contained description of the method or the system, etc., not depending for completeness upon the introductory clause. *Kropa v. Robie*, 88 USPQ 478 (CCPA 1951)

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Berson discloses:

receiving validation information from an end-user's machine via the computer network; Col. 2, lines 1-10.

generating value bearing indicium data using the validation information; Col. 2, lines 1-10.

In reference to storing the value bearing indicium data in a validation information database, Berson teaches about downloading at least a portion of the ticket information for reconciliation of accounts. Col. 2, lines 13-17. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to have a database for storing data since it is known in the art that downloading a portion of the ticket information for reconciliation requires the ticket data to be stored in a data base for retrieval at a later time for reconciliation. Berson does not expressly show storing the value bearing indicium data in a validation information database but these differences are only found in the nonfunctional descriptive material and are not functionally involved in the steps recited. The storing of data in a database would be performed the same regardless of the type of data involved and the name of the database. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to storing the value bearing indicium data in a

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validation information database because such data (value bearing indicium and validation information modifiers) does not functionally relate to the steps in the method claimed and because the subjective interpretation of the data does not patentably distinguish the claimed invention. Also, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the financial transaction system of Berson with the storing the value bearing indicium data in a validation information database , in order to maintain a record of the transaction and utilize the data for future verification of the transaction.

transmitting the value bearing indicium data to the end-user's machine via the computer network; Col. 2, lines 5-8.

receiving the value bearing indicium data from a scanning machine via the computer network. Col. 4, lines 18-42.

Berson discloses the claimed invention but does not specifically teach determining a validity status for the value bearing indicium data using the validation information database and transmitting the validity status to the scanning machine.

Rosen teaches that it is known in the art to provide determining a validity status for the value bearing indicium data using the validation information database and transmitting the validity status to the scanning machine. Col. 25, lines 15-67. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the validation system of Berson with the determining a validity status for the value bearing indicium data using the validation information database and

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transmitting the validity status to the scanning machine of Rosen, in order to authenticate the validity of the value bearing indicium..

As per claims 2 and 42:

Berson further discloses:

receiving a value bearing indicium data request from the end-user's machine via the computer network; Col. 2, lines 1-20.

generating the validation information from the value bearing indicium data request; Col. 2, lines 1-29. and

transmitting the validation information to the end user's machine via the computer network. Col. 2, lines 1-20.

As per claim 3:

Berson discloses the claimed invention except for the further comprising the step of transmitting the validity status to a value bearing indicium distributor. Rosen teaches that it is known in the art to further comprising the step of transmitting the validity status to a value bearing indicium distributor. Fig. 5, and Col. 10, lines 15-46. Berson does disclose the concept of an Offline Store for the validation and reconciliation of the value bearing indicium. Col. 4, lines 33-40. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the Offline Store for reconciling a ticket the validity status of the ticket with the further comprising the step of transmitting the validity status to a value bearing indicium distributor of Rosen, in order

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to maintain current status of the value bearing indicium. Further, the applicant has not disclosed that further comprising the step of transmitting the validity status to a value bearing indicium distributor. solves any stated problem in a new or unexpected way or is for any particular purpose which is unobvious to one of ordinary skill and it appears that the claimed feature does not distinguish the invention over similar features in the prior art since, the teachings of Berson will perform the invention as claimed by the applicant with any means, method, or product to transmitting the validity status to a value bearing indicium distributor.

As per claims 4, 20 , and 40:

Claims 4, 20, and 40 are rejected under 35 U.S.C. 103 as being unpatentable over Berson and Rosen. Berson and Rosen teach all of the elements claimed with the exception of wherein the validity status of the value bearing indicium data is determined to be invalid if the value bearing indicium data is not found in the validation information database.. The examiner takes Official Notice that wherein the validity status of the value bearing indicium data is determined to be invalid if the value bearing indicium data is not found in the validation information database.. It would have been obvious to one having ordinary skill in the art at the time of the invention to have included the step of wherein the validity status of the value bearing indicium data is determined to be invalid if the value bearing indicium data is not found in the validation information database because the skilled artisan would have recognized that this business practice of when an item is not in a data base that has been established for validating the item, then the

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item is established as not being valid, and is clearly applicable to wherein the validity status of the value bearing indicium data is determined to be invalid if the value bearing indicium data is not found in the validation information database. These advantages are well known to those skilled in the art.

As per claims 5, 21 , and 41:

Claims 5, 21, and 41 are rejected under 35 U.S.C. 103 as being unpatentable over Berson and Rosen. Berson and Rosen teach all of the elements claimed with the exception of wherein the validity status of the value bearing indicium data is determined to be redeemed if the value bearing indicium data is found in the validation information database and the value bearing indicium data has been previously redeemed. The examiner takes Official Notice that wherein the validity status of the value bearing indicium data is determined to be redeemed if the value bearing indicium data is found in the validation information database and the value bearing indicium data has been previously redeemed. It would have been obvious to one having ordinary skill in the art at the time of the invention to have included the step of wherein the validity status of the value bearing indicium data is determined to be redeemed if the value bearing indicium data is found in the validation information database and the value bearing indicium data has been previously redeemed because the skilled artisan would have recognized that this business practice of when an item has found to be used in a data base tracking the use of an item, then the item has in fact been used prior to the present status check and is clearly applicable to wherein the validity status of the value bearing indicium data is

determined to be redeemed if the value bearing indicium data is found in the validation information database and the value bearing indicium data has been previously redeemed. These advantages are well known to those skilled in the art.

As per claims 6 and 24:

Berson further discloses:

wherein the value bearing indicium data is a ticket. Col. 3, lines 20-30.

As per claims 7 and 25:

PTO's guidelines for examining claimed language require: the examiner must make a determination, whether the claimed invention "as a whole" would have been obvious at the time of the invention to one of ordinary skill in the art. See MPEP 2142. In these pending claims, the examiner submits that the following particular language does not serve as a limitation on the claim (i.e., "postage for a mail piece"). The generating, storing, transmitting, receiving, determining and transmitting steps of the independent claim would be performed the same regardless of the data. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to generate, store, transmit, receive, determine and transmit postage for a mail piece of the independent claim because such data does not

functionally relate to the steps in the method claimed and because the subjective interpretation of the data does not patentably distinguish the claimed invention.

As per claims 8 and 26:

PTO's guidelines for examining claimed language require: the examiner must make a determination, whether the claimed invention "as a whole" would have been obvious at the time of the invention to one of ordinary skill in the art. See MPEP 2142. In these pending claims, the examiner submits that the following particular language does not serve as a limitation on the claim (i.e., "data is currency"). The generating, storing, transmitting, receiving, determining and transmitting steps of the independent claim would be performed the same regardless of the data. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to generate, store, transmit, receive, determine and transmit data as currency of the independent claim because such data does not functionally relate to the steps in the method claimed and because the subjective interpretation of the data does not patentably distinguish the claimed invention.

As per claims 9 and 27:

PTO's guidelines for examining claimed language require: the examiner must make a determination, whether the claimed invention "as a whole" would have been obvious at the time of the invention to one of ordinary skill in the art. See MPEP 2142. In these pending claims, the examiner submits that the following particular language does not serve as a limitation on the claim (i.e., "data is a voucher"). The generating, storing, transmitting, receiving, determining and transmitting steps of the independent claim would be performed the same regardless of the data. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to generate, store, transmit, receive, determine and transmit data as a voucher of the independent claim because such data does not functionally relate to the steps in the method claimed and because the subjective interpretation of the data does not patentably distinguish the claimed invention.

As per claims 10 and 28:

PTO's guidelines for examining claimed language require: the examiner must make a determination, whether the claimed invention "as a whole" would have been obvious at the time of the invention to one of ordinary skill in the art. See MPEP 2142. In these pending claims, the examiner submits that the following particular

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language does not serve as a limitation on the claim (i.e., "data is a coupon"). The generating, storing, transmitting, receiving, determining and transmitting steps of the independent claim would be performed the same regardless of the data. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to generate, store, transmit, receive, determine and transmit data as a coupon of the independent claim because such data does not functionally relate to the steps in the method claimed and because the subjective interpretation of the data does not patentably distinguish the claimed invention.

As per claims 11 and 29:

PTO's guidelines for examining claimed language require: the examiner must make a determination, whether the claimed invention "as a whole" would have been obvious at the time of the invention to one of ordinary skill in the art. See MPEP 2142. In these pending claims, the examiner submits that the following particular language does not serve as a limitation on the claim (i.e., "data is a traveler's check"). The generating, storing, transmitting, receiving, determining and transmitting steps of the independent claim would be performed the same regardless of the data. Thus, this descriptive material will not distinguish the claimed invention from the prior art

in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to generate, store, transmit, receive, determine and transmit data as a traveler's check of the independent claim because such data does not functionally relate to the steps in the method claimed and because the subjective interpretation of the data does not patentably distinguish the claimed invention.

As per claim 12:

Berson further discloses:

generating a message digest by hashing a first subset of the validation information; Col. , lines 1-3.

generating a digital signature from the message digest; Col. 4, lines 1-10, Col. 5, lines 25-35.

generating a bar code from a second subset of the validation information. Col. 5, lines 29-40.

As per claim 22:

Berson further discloses:

a processor; Col. 3, lines 21-22

a memory operable coupled to the processor and having program instructions stored therein, the processor being operable to execute the program instructions; Col. 3, lines 21-22.

the program instructions including:

receiving a value bearing indicium data request from the end-user's machine via the computer network; Col. 3, lines 20-50

generating the validation information from the value bearing indicium data request; Col. 3, lines 20-50.

transmitting the validation information to the end-user's machine via the computer network. Col. 3, lines 20-50.

As per claim 23:

Berson further discloses:

the indicium server program instructions further including transmitting the validity status to the distributor server. Col. 3, lines 40-67.

3. Claims 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Berson and Rosen as applied to claim 19 above, and further in view of Lewis et al U.S. Patent 6,233,565 [Lewis

As per claim 30:

Berson and Rosen disclose the claimed invention except for the generating a message digest by hashing a first subset of the validation information. However, Berson does disclose the creation of check sums. Col. 4, lines 1-2.

Lewis teaches that it is known in the art to provide a generating a message digest by hashing a first subset of the validation information. Col. 5, lines 10-25. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the check sum procedure of Berson with the hashing methods of Lewis since they are effectively equivalent in nature.

Berson further discloses;;

generating a digital signature from the message digest; Col. 4, lines 1-10, Col. 5, lines 25-35.

generating a bar code from a second subset of the validation information. Col. 5, lines 29-40.

transmitting via the computer network the digital signature and the bar code to the end-user's machine to be printed as a value bearing indicium. Col. 4, lines 1-15.

As per claim 31:

Berson and Rosen disclose the claimed invention except for wherein the message digest is generated using a secure hash algorithm. However, Berson does disclose the creation of check sums. Col. 4, lines 1-2.

Lewis teaches that it is known in the art to provide wherein the message digest is generated using a secure hash algorithm. Col. 5, lines 10-25. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the check sum procedure of Berson with the hashing methods of Lewis since they are effectively equivalent in nature.

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:As per claim 32:

Berson further discloses:

wherein the digital signature is generated using a digital signature algorithm. Col. 4, lines 1-10.

4. Claims 13-18, 33-38, and 43-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lewis et al U.S. Patent 6,233,565 [Lewis] , and further in view of Berson and Rosen.

As per claim 13:

Lewis discloses the claimed invention except for detailing the specific steps in reference to a ticket transaction. However, Lewis does teach that his system is applicable to transactions involving tickets for travel/transportation other ticket issuing entities. Col. 38, lines 35-45.. Berson teaches that it is known in the art to provide an apparatus and method for issuing and validating tickets that incorporate the generic actions taught by Lewis. It would have been obvious to one having ordinary skill in the art at the time the invention was made to illustrate the conceptual actions of Lewis's internet based financial transactions with evidence of payment into the specific transaction of acquiring a ticket as per Berson in order to facilitate the application presented by Lewis.

Lewis discloses:

providing a ticket server, the ticket server operable coupled to a validation information database; Col. 5, lines 30-55.

providing a distributor server; Col. 5, lines 30-55.

receiving a ticket request from an end-user's machine by the distributor server via the computer network; generating validation information from the ticket request by the distributor server; Col. 5, lines 30-55

transmitting the validation information to the end user's machine by the distributor server via the computer network; Col. 5, lines 30-55.

Berson discloses:

receiving validation information from an end-user's machine via the computer network; Col. 2, lines 1-10.

generating value bearing indicium data using the validation information; Col. 2, lines 1-10.

In reference to storing the value bearing indicium data in a validation information database, Berson teaches about downloading at least a portion of the ticket information for reconciliation of accounts. Col. 2, lines 13-17. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to have a database for storing data since it is known in the art that downloading a portion of the ticket information for reconciliation requires the ticket data to be stored in a data base for retrieval at a later time for reconciliation. Berson does not expressly show storing the value bearing indicium data in a validation information database but these differences are only found in the nonfunctional descriptive material and are not

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functionally involved in the steps recited. The storing of data in a database would be performed the same regardless of the type of data involved and the name of the database. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to storing the value bearing indicium data in a validation information database because such data (value bearing indicium and validation information modifiers) does not functionally relate to the steps in the method claimed and because the subjective interpretation of the data does not patentably distinguish the claimed invention. Also, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the financial transaction system of Berson with the storing the value bearing indicium data in a validation information database , in order to maintain a record of the transaction and utilize the data for future verification of the transaction.

transmitting the value bearing indicium data to the end-user's machine via the computer network; Col. 2, lines 5-8.

receiving the value bearing indicium data from a scanning machine via the computer network. Col. 4, lines 18-42.

Berson discloses the claimed invention but does not specifically teach determining a validity status for the value bearing indicium data using the validation information database and transmitting the validity status to the scanning machine.

Rosen teaches that it is known in the art to provide determining a validity status for the value bearing indicium data using the validation information database and transmitting the validity status to the scanning machine. Col. 25, lines 15-67. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the validation system of Berson with the determining a validity status for the value bearing indicium data using the validation information database and transmitting the validity status to the scanning machine of Rosen, in order to authenticate the validity of the value bearing indicium.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the third party sellers of goods and/or services of Lewis with the issuing and validation of tickets of Berson and Rosen, because each receipt is unique and the ease of scanning in and the speed of decoding the two dimensional matrix codes or bar codes incorporated into the indicium, renders the process essentially transparent to the customer.

As per claim 14:

Claim 14 is rejected under 35 U.S.C. 103 as being unpatentable over Lewis, Berson and Rosen. Lewis, Berson and Rosen teach all of the elements claimed with the exception of wherein the validity status of the ticket is determined to be invalid if the validation information is not found in the validation information database. The examiner takes Official Notice that wherein the validity status of the ticket is determined to be invalid if the validation information is not found in the validation information database. It would have been obvious to one having ordinary skill in the art at the time of the invention to have included the step of wherein the validity status of the ticket is determined to be invalid if the validation information is not found in the validation information database because the skilled artisan would have recognized that this business practice of when an item is not in a data base that has been established for validating the item, then the item is established as not being valid and is clearly applicable to wherein the validity status of the ticket is determined to be invalid if the validation information is not found in the validation information database. These advantages are well known to those skilled in the art.

As per claim 15:

Claim 15 is rejected under 35 U.S.C. 103 as being unpatentable over Lewis, Berson and Rosen. Lewis, Berson and Rosen teach all of the elements claimed with the exception of wherein the validity status of the validation information is determined to be redeemed if the validation information is found in the validation information database

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and the validation information has been previously redeemed. The examiner takes Official Notice that wherein the validity status of the validation information is determined to be redeemed if the validation information is found in the validation information database and the validation information has been previously redeemed. It would have been obvious to one having ordinary skill in the art at the time of the invention to have included the step of wherein the validity status of the validation information is determined to be redeemed if the validation information is found in the validation information database and the validation information has been previously redeemed because the skilled artisan would have recognized that this business practice of when an item has found to be used in a data base tracking the use of an item, then the item has in fact been used prior to the present status check and is clearly applicable to wherein the validity status of the validation information is determined to be redeemed if the validation information is found in the validation information database and the validation information has been previously redeemed. These advantages are well known to those skilled in the art.

As per claim 16:

Lewis further discloses:

generating a message digest by hashing a first subset of the validation information; Col. 5, lines 10-25.

generating a digital signature from the message digest; Col. 4, lines 25-40.

generating a bar code from a second subset of the validation information; Col. 14, lines 15-20. and

transmitting via the computer network the digital signature and the bar code to the end-user's machine to be printed as a ticket. Col. 38, lines 40-58.

As per claim 17:

Lewis further discloses:

wherein the messages digest is generated using a secure hash algorithm. Col. 5, lines 10-30.

As per claim 18:

Lewis further discloses:

wherein the digital signature is generated using a digital signature algorithm. Col. 4, lines 20-40.

As per claim 33:

Lewis discloses:

a distributor server, the distributor server including:

a processor; Fig. 3

a memory operable coupled to the processor and having program instructions stored therein, the processor being operable to execute the program instructions; Fig. 3

the program instructions including:

receiving a value bearing indicium data request from the end-user's machine via the computer network; Col. 5, lines 25-60.

generating the validation information from the value bearing indicium data request; Col. 5, lines 25-60.

transmitting the validation information to the end-user's machine via the computer network. Col. 5, lines 25-60.

Lewis discloses the claimed invention except for detailing the specific steps in reference to a ticket transaction. However, Lewis does teach that his system is applicable to transactions involving tickets for travel/transportation other ticket issuing entities. Col. 38, lines 35-45.. Berson teaches that it is known in the art to provide an apparatus and method for issuing and validating tickets that incorporate the generic actions taught by Lewis. It would have been obvious to one having ordinary skill in the art at the time the invention was made to illustrate the conceptual actions of Lewis's internet based financial transactions with evidence of payment into the specific transaction of acquiring a ticket as per Berson in order to facilitate the application presented by Lewis.

Berson discloses: Col. 3-4, lines 1-67.

providing a ticket server, the ticket server operable coupled to a validation information database;

providing a distributor server;

receiving a ticket request from an end-user's machine by the distributor server via the computer network; generating validation information from the ticket request by the distributor server;

transmitting the validation information to the end user's machine by the distributor server via the computer network;

receiving by the ticket server the validation information from the end-user's machine via the computer network;

generating by the ticket server a ticket using the validation information;

storing the ticket in the validation information database;

transmitting the ticket to the end-user's machine by the ticket server via the computer network;

receiving the ticket from a scanning machine by the ticket server via the computer network;

determining a validity status for the ticket by the ticket server using the validation information database;

transmitting the validity status to the scanning machine.

As per claim 34:

Claim 34 is rejected under 35 U.S.C. 103 as being unpatentable over Lewis, Berson and Rosen. Lewis, Berson and Rosen teach all of the elements claimed with the exception of wherein the validity status of the ticket data is determined to be invalid if the ticket data is not found in the validation information database.. The examiner takes

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Official Notice that wherein the validity status of the ticket data is determined to be invalid if the ticket data is not found in the validation information database. It would have been obvious to one having ordinary skill in the art at the time of the invention to have included the step of wherein the validity status of the ticket data is determined to be invalid if the ticket data is not found in the validation information database because the skilled artisan would have recognized that this business practice of when an item is not in a data base that has been established for validating the item, then the item is established as not being valid, and is clearly applicable to wherein the validity status of the ticket data is determined to be invalid if the ticket data is not found in the validation information database. These advantages are well known to those skilled in the art.

As per claim 35:

Claim 35 is rejected under 35 U.S.C. 103 as being unpatentable over Lewis, Berson and Rosen. Lewis, Berson and Rosen teach all of the elements claimed with the exception of wherein the validity status of the ticket data is determined to be redeemed if the ticket data is found in the validation information database and the ticket data has been previously redeemed. The examiner takes Official Notice that wherein the validity status of the ticket data is determined to be redeemed if the ticket data is found in the validation information database and the ticket data has been previously redeemed. It would have been obvious to one having ordinary skill in the art at the time of the invention to have included the step of wherein the validity status of the ticket data is determined to be redeemed if the ticket data is found in the validation information

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database and the ticket data has been previously redeemed because the skilled artisan would have recognized that this business practice of when an item has found to be used in a data base tracking the use of an item, then the item has in fact been used prior to the present status check and is clearly applicable to wherein the validity status of the ticket data is determined to be redeemed if the ticket data is found in the validation information database and the ticket data has been previously redeemed. These advantages are well known to those skilled in the art.

As per claim 36:

Lewis further discloses:

generating a message digest by hashing a first subset of the validation information; Col. 5, lines 10-25.

generating a digital signature from the message digest; Col. 4, lines 25-40.

generating a bar code from a second subset of the validation information; Col. 14, lines 15-20. and

transmitting via the computer network the digital signature and the bar code to the end-user's machine to be printed as a ticket. Col. 38, lines 40-58.

As per claim 37:

Lewis further discloses:

wherein the messages digest is generated using a secure hash algorithm. Col. 5, lines 10-30.

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As per claim 38:

Lewis further discloses:

wherein the digital signature is generated using a digital signature algorithm. Col. 4, lines 20-40.

As per claim 43:

Lewis does not use the term value bearing indicium in the description of his invention. However, he does describe the purpose of his invention is in the generation of a postage stamp, and tickets for live and movie theatres, sporting events, concerts, travel/transportation such as air, boat, train, bus, subway and the like. Col. 38, lines 37-43. The examiner takes Official Notice that postage stamp, and tickets for live and movie theatres, sporting events, concerts, travel/transportation such as air, boat, train, bus, subway and the like are value bearing indicium. It would have been obvious to one having ordinary skill in the art at the time of the invention to have included the term value added indicium in the description of postage stamp, and tickets for live and movie theatres, sporting events, concerts, travel/transportation such as air, boat, train, bus, subway and the like because the skilled artisan would have recognized that this business practice generating postage stamp, and tickets for live and movie theatres, sporting events, concerts, travel/transportation such as air, boat, train, bus, subway and the like and is clearly applicable to generating value added indicium.

Therefore Lewis discloses:

receiving a set of relevant information from an end-user's machine via the computer network; Col. 5, lines 40-41.

verifying authenticity of the end-user responsive to the relevant information; Col. 5, lines 39.

generating a message digest by hashing a first subset of the relevant information; Col. 5, lines 10-25.

generating a digital signature from the message digest; Col. 4, lines 25-40.

generating a 2-D bar code from a second subset of the relevant information; Col. 14, lines 15-20.

transmitting via the computer network the digital signature and the 2-D bar code to the end-user's machine; Col. 18, lines 53-67. and

printing the digital signature and the 2-D bar code next to each other as a value bearing indicium. Col. 38, lines 39-57, Col. 5, lines 50-53.

As per claim 44:

Lewis further discloses:

wherein the messages digest is generated using a secure hash algorithm.

Col. 5, lines 10-30.

As per claim 45:

Lewis further discloses:

wherein the digital signature is generated using a digital signature algorithm. Col. 4, lines 20-40.

As per claim 46:

Lewis further discloses:

wherein the first subset of relevant information and the second subset of relevant information are the same. Col. 5, lines 10-30.

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

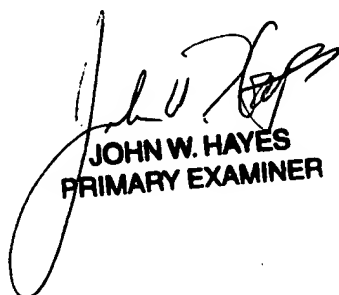
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel L. Greene whose telephone number is 571-272-6707. The examiner can normally be reached on M-Thur. 8am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

5/29/2005


JOHN W. HAYES
PRIMARY EXAMINER

Daniel L. Greene
Examiner
Art Unit 3621